

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 02-2094**

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M. EUGENE GIBBS,

Plaintiff - Appellant,

versus

UNITED STATES OF AMERICA; DEPARTMENT OF  
DEFENSE, DCMAO; DEPARTMENT OF LABOR; GEORGE  
MOORE, Doctor; DOES 1-5; DUANE A. CAESAR,

Defendants - Appellees.

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Appeal from the United States District Court for the District of  
Maryland, at Baltimore. J. Frederick Motz, District Judge. (CA-  
02-45-JFM)

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Submitted: December 19, 2002

Decided: December 30, 2002

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Before WILKINS and KING, Circuit Judges, and HAMILTON, Senior  
Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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M. Eugene Gibbs, Appellant Pro Se. Thomas Michael DiBiagio, United  
States Attorney, Jennifer Lilore Huesman, OFFICE OF THE UNITED  
STATES ATTORNEY, Baltimore, Maryland, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.  
See Local Rule 36(c).

PER CURIAM:

M. Eugene Gibbs appeals from the district court's order denying his motion to extend the time to appeal the dismissal of his complaint. In order to qualify for an extension of time to appeal, a litigant must show excusable neglect or good cause. Fed. R. App. P. 4(a)(5). Because Gibbs' motion focused exclusively on the merits of his underlying claims, we find that the district court did not err in finding that Gibbs had not satisfied the requirements for an extension of time. Accordingly, we affirm the order of the district court. See Gibbs v. United States, No. CA-02-45-JFM (D. Md. Aug. 22, 2002). We dispense with oral argument, because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED